

REMARKS

Reconsideration of the above-identified application is respectfully requested.

In the Official Action dated July 14, 2005, the Examiner first rejected Claims 35-39 under 35 U.S.C. § 101 because Claim 35 because the claim is allegedly couched as a single means claim wherein a means recitation does not appear in combination with another recited element or means, and therefore of undue breadth.

The Examiner further rejected Claims 1, 9, 11, 13, 22, 24 and 33 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,061,692 to Thomas et al. (hereinafter "Thomas"). The Examiner rejected all further dependent Claims based upon Thomas.

With respect to the undue breadth rejection of Claims 35-39, applicants respectfully disagree in view of the amendment to Claim 35. Particularly, Claim 38 is being canceled and the subject matter thereof being added to amended independent Claim 35. Claim 35 now sets forth a method of generating a server configuration file comprising steps of: implementing a configuration tool for merging first data and second data, wherein said first data comprises raw server configuration data including a configuration token and said second data comprising server instance data including one or more values associated with said configuration token, said configuration tool replacing a configuration token in said raw server configuration data with values associated with an instance token in said server instance data, said instance token in said server instance data corresponding to said configuration token in said raw server configuration data.

Applicants respectfully submit that amended Claim 35 now constitutes statutory subject matter as it no longer sets forth a single means claim thereby obviating the undue breadth rejection.

Independent Claims 1, 13 and 24 have been similarly amended. Particularly, Claims 2, 14 and 25 have been canceled and Claims 1, 13 and 24 amended to incorporate the subject matter of respective canceled claims 2, 14 and 25.

While the Examiner has indicated that Claims 2, 14 and 25 were unpatentable over Thomas, applicants respectfully disagree for the following reasons:

1) Thomas is not directed to configuring an instance server so that user code can be successfully deployed on the configured server. Rather, Thomas is directed to configuring a metadatabase so that an information server may be adapted for suitably responding to specific customer requests.

2) Thomas does not merge first data (raw server configuration data including a configuration token) and second data (server instance data including one or more values associated with said configuration token) to generate server configuration data (or file) as now set forth in amended Claims 1, 13, 24 and 35. This is clearly evidenced by Figure 4 of Thomas, as relied upon by the Examiner that clearly discloses separate categories of metadata that are hierarchically organized in a metadatabase. That is, Thomas is primarily directed to efficiencies in storing data that is used for configuring servers that respond to specific multi-varied types of user requests, and not to the efficiency in processing the data for configuring a server so that user code can be successfully deployed on the configured server.

Further to this, the Examiner's analogizing of metabase "keys" as taught in Thomas, to the configuration and instance tokens as claimed in the present invention is respectfully misplaced. The "keys" referred to in Thomas are storage locations where

properties containing metadata are stored (See col. 4, lines 27-33 of Thomas) according to a hierarchy and are analogous to a directory in a file system (col. 15, lines 53-57 of Thomas). To the contrary, as known in the art (and as defined in the present specification, e.g., paragraph bridging page 14 and 15) a token comprises a string sequence or other identifier and is not a "key" directory location. At best, Thomas's teaching of keys fashioned in a hierarchical metabase allows for greater efficiencies in retrieving different types of data, e.g., parallel access to configuration properties and information objects so that a server may correctly respond to a specific user request; however, does not teach or suggest a merging of received raw server configuration and server instance data as in amended Claims 1, 13, 24 and 35, wherein the merging comprises steps of: copying the raw server configuration data to form the server configuration data and replacing a configuration token in the raw server configuration data with instance values associated with an instance token in the server instance data, the instance token in the server instance data corresponding to the configuration token in the raw server configuration data.

3) Thomas, as described at col. 5, lines 40-52, relies on an inheritance property as the mechanism for reducing amount of storage requirements for the various properties (reduces the overall amount of information that must be stored and administered from an information server). The present invention, on the other hand, as now claimed in amended Claims 1, 13, 24 and 35 relies on a completely different mechanism, namely, the merging of first data (raw server configuration data including a configuration token) and second data (server instance data including one or more values associated with said configuration token) to generate server configuration data (or file) that is used to configure a server so that user code can be successfully deployed on the configured server (see current specification at page 4, second full paragraph).

In sum, Thomas does not teach or suggest the implementation of merging raw server configuration data (text file) and server instance data in the manner as claimed to generate an over server configuration text file that is used to configure a server so that user code can be successfully deployed on the configured server.

Thus, Applicants respectfully request that the Examiner withdraw the rejections of Claims 1, 13, 24 and 35 as amended, and all claims dependent thereon. In view of the cancellation of Claims 2, 14, 25 and 38, Claims have further amended Claims 3, 6, 7, 10, 15, 18, 19, 21, 26, 29, 30, 32 and 39 to correct their respective dependencies.

In view of the foregoing remarks herein, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance be issued. If the Examiner believes that a telephone conference with the Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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